

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD DESHIELDS

v.

**GM FINANCIAL CORPORATION and
ROLLS AUTO DEALERSHIP**

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**CIVIL ACTION
No. 24-2749**

ORDER

This 25th day of September, 2024, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that Defendant GM Financial Corporation's Motion to Dismiss, ECF 4, is **GRANTED**. The claims against GM Financial are **DISMISSED** for failure to state a claim pursuant to Fed. R. Civ. 12(b)(6) as follows:

1. Plaintiff's claim under 18 U.S.C. § 1028A is **DISMISSED WITH PREJUDICE**.
2. Plaintiff's remaining claims are **DISMISSED WITHOUT PREJUDICE**.
3. Mr. DeShields may file an amended complaint within twenty (20) days of the date of this Order as to any claims dismissed without prejudice. Any amended complaint must describe the factual basis for all claims, cite to specific legal provisions or requirements, and identify all relevant dates.

/s/ Gerald Austin McHugh
United States District Judge